

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

AT CHARLESTON

FRED D. DOUTY,

Plaintiff,

v.

Civil Action No. 2:13-32832

JIM RUBENSTEIN, Commissioner,
W. Va. Division of Corrections, and
DAVID BALLARD, Warden,
Mt. Olive Correctional Complex, and
PAUL PERRY, Associate Warden of Security,
Mt. Olive Correctional Complex, and
RONNIE WILLIAMS, Captain,
Mt. Olive Correctional Complex, and
DANIEL HAHN, Lieutenant,
Mt. Olive Correctional Complex, and
ANDREW HUDSON, Corporal,
Mt. Olive Correctional Complex, and
JOSHUA HYPES, Correctional Officer,
Mt. Olive Correctional Complex, and
CHRIS HESS, Corporal,
Mt. Olive Correctional Complex, and
NICHOLAS BOYCHUCK, Correctional Officer,
Mt. Olive Correctional Complex, and
SERGEANT JOE WIMMER, Sergeant,
Mt. Olive Correctional Complex,

Defendants.

MEMORANDUM OPINION AND ORDER

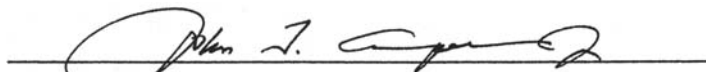
Pending is plaintiff Fred Douty's appeal of an order entered by the United States Magistrate Judge on March 20, 2015, filed April 6, 2015.

The April 6, 2015, appeal contends that defendants failed to respond to plaintiff's first set of interrogatories and second request for production of documents. (Appeal at 2). On May 11, 2015, the magistrate judge entered an order directing that defendants serve anew upon plaintiff their responses to Plaintiff's First Set of Interrogatories and Second Request for Production of Documents. The production order moots plaintiff's appeal.

It is, accordingly, ORDERED that the appeal be, and hereby is, dismissed as moot.

The Clerk is directed to forward copies of this written opinion and order to all counsel of record and any unrepresented parties.

DATED: August 7, 2015


John T. Copenhaver, Jr.
United States District Judge